

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 09/764,439

Confirmation No. 7079

Applicant: Kaneko et al.

Filed: January 19, 2001

TC/AU: 2174

Examiner: L. Nguyen

Docket No.: 401022

Customer No.: 23548

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE  
EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed May 30, 2007, rejecting the following claims: 6, 11, 12, and 14-23.

1. Pre-Appeal Brief Request for Review

A "Pre-Appeal Brief Request for Review" is ☒ filed concurrently herewith or ☐ is not being filed.

2. Status of Applicants

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

3. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for: ☒ other than a small entity or ☐ a small entity.

Notice of Appeal Fee due \$500.00

4. Extension of Time

- ☐ Applicants petition for a one-month extension of time under 37 CFR 1.136, the fee for which is \$120.00.
- ☐ An extension for one-month has already been secured and the fee paid therefore of \$120.00 is deducted from the total fee due for the total amounts of extension now requested.
- ☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$ 0.00

5. Total Fee Due

The total fee due is:

Notice of Appeal Fee	\$ 500.00
Extension Fee (if any)	\$ 0.00

Total Fee Due: \$500


6. Fee Payment

- ☐ Attached is a check in the sum of \$
- ☒ Charge Account No. 12-1216 the sum of \$500. A duplicate of this transmittal is attached.

7. Fee Deficiency

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,

  
Phillip M. Pippenger, Reg. No. 46,055  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza  
180 North Stetson Ave., Suite 4900  
Chicago, Illinois 60601-6731  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: August 30, 2007